



Crl.OP.No.17924 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioners, who apprehend arrest for the alleged offence under Sections 354, 420 and 506(ii) and Section 4 of Women Harassment Act in Crime No.Not Known of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners are arrayed as A1 to A4. The first petitioner/A1 is alleged to have fell in love with the defacto complainant and promised her to marry. Believing the sugar coated words of the first petitioner, the defacto complainant went out with him to several places. Thereafter, the first petitioner refused to marry her and also threatened her. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further



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submitted that on earlier occasion, the first petitioner filed anticipatory bail petition before this Court in Crl.O.P.No.1874 of 2021 and the same was closed on the submission made by the learned Additional Public Prosecutor that the petition enquiry was conducted and closed against the first petitioner. Hence, he prays to grant anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor appearing for the respondent submitted that the allegation against the petitioners is that A1/first petitioner fell in love with the defacto complainant and compelled her to love him. Thereafter, he refused to marry her and also threatened her with dire consequences. The petitioners/A2 to A4 are family members of A1. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the fact that the first petitioner fell in love with the victim/defacto complainant and compelled her to love him. Except the said allegation, no other allegation has been made against the first petitioner. Hence, this Court is inclined to grant anticipatory bail to the



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petitioners subject to the following conditions:-

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Additional Mahila Court (Magistrate Level), Coimbatore on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the first petitioner shall file an affidavit with an undertaking that he will not interfere with the defacto complainant in future.

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[c] the petitioners shall report before the respondent police daily at 10.30 a.m. and 5.30 p.m for a period of four weeks and thereafter as and when required for interrogation.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

03.08.2022

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